

the Medicare Program. We identified the dangerous trend of an increasing number of completely bogus providers entering the system with the sole and explicit purpose of robbing it. One of our witnesses actually testified that he went into Medicare fraud because it was easier and safer than dealing in drugs; he could make a lot more money at far less risk of being caught.

Our hearings led to the adoption of some safeguards and better internal controls. But many years later what our continuing hearings have demonstrated is that unscrupulous individuals are always adopting and seeking out new ways to rip off the system. They seem to be always one step ahead of the authorities.

I do wish to emphasize an extremely important point; that is, the vast majority of medical professionals are caring, dedicated health care providers whose top priority is the welfare of their patients.

When we were investigating Medicare fraud in the late 1990s, what we found were a whole lot of individuals posing as health care providers who had no medical training whatsoever. I remember one memorable case where, had there been a site visit, it would have been discovered that this bogus provider had an office in the middle of the runway of the Miami airport. But, unfortunately, back then there were no site visits.

Health care providers—the true professionals—are the ones who are most appalled by the unscrupulous bandits who take advantage of weaknesses in the Medicare Program to bleed billions of dollars from the program.

As I indicated, we have made some progress over the years in the battle against Medicare fraud since I chaired those hearings. Unfortunately, however, there is no line item in the budget titled “waste, fraud, and abuse” that we can simply strike to eliminate this problem and solve it once and for all.

The task of ferreting out wasteful and fraudulent spending is made all the more difficult by the ingenuity of the scam artists, who continually adopt new methods of ripping off both the Medicare and the Medicaid Programs.

It is clear, as my distinguished chairman indicated, that we must do more than shift from a pay-and-chase strategy to combat Medicare fraud to one that prevents the harm from ever occurring in the first place. That is what the bipartisan bill we are introducing today would do.

Among other provisions, our legislation would require Medicare to verify health care provider ownership interests using other databases before new health care providers are allowed to enroll in the program. That is an upfront control that we can and should implement. Currently, Medicare relies on self-reported information. As a consequence, providers who previously had an ownership interest in an organization that defrauded Medicare can potentially get back into the program by

simply using different names and failing to disclose their interest in the previous organization or practice.

Our legislation would also allow private insurers to share information about potentially fraudulent providers with Medicare and with each other to prevent further health care fraud.

It would also allow the Medicare Payment Advisory Commission to make recommendations to us regarding fraud prevention, and our bill would require the Medicare Program to develop a strategy for more accurately and reliably estimating how many dollars are lost each year to fraud.

As the chairman indicated, our legislation is endorsed by a wide variety of organizations, including the National Health Care Anti-Fraud Association, the Blue Cross and Blue Shield Association, Humana, America's Health Insurance Plans, and the Coalition Against Insurance Fraud.

I urge all of my colleagues on both sides of the aisle to join us in cosponsoring this important bill—legislation that I believe really can make a difference. I hope this is a bill we can move quickly. It is a commonsense bill. It will save taxpayer and beneficiary dollars, and it will help to curb the excessive fraud, the unacceptable fraud that is depleting dollars from a program—the Medicare Program—that is already under financial strain.

So let's move this bill. Let's send it to the House and on to the President for his signature as soon as possible.

Mr. President, I again commend the Senator from Florida for his leadership. It has been a great pleasure to work with him on this important issue.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 452—TO AUTHORIZE TESTIMONY, DOCUMENTS, AND REPRESENTATION IN CITY OF LAFAYETTE V. BRYAN BENOIT

Mr. REID (for himself and Mr. McCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 452

Whereas, in the case of City of Lafayette v. Bryan Benoit, Case No. CC201303991, pending in City Court in Lafayette, Louisiana, the prosecution has requested the production of testimony from two current employees in the Lafayette, Louisiana office of Senator David Vitter, and one former employee of that office;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current and former employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Nicole Hebert and Kathy Manuel, current employees in the Office of Senator David Vitter, and Thomas Hebert, a former employee of that office, and any other employee of the Senator's office from whom relevant evidence may be necessary, are authorized to produce documents and provide testimony in the case of City of Lafayette v. Bryan Benoit, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent current and former employees of Senator Vitter's office in connection with the production of evidence authorized in section one of this resolution.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3225. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table.

SA 3226. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 3060 proposed by Mr. WYDEN to the bill H.R. 3474, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3225. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE —OTHER PROVISIONS

SEC. 01. EXCLUSION OF CERTAIN COMPENSATION RECEIVED BY PUBLIC SAFETY OFFICERS AND THEIR DEPENDENTS.

(a) IN GENERAL.—Subsection (a) of section 104 is amended by striking “and” at the end of paragraph (4), by striking the period at the end of paragraph (5) and inserting “; and”, and by inserting after paragraph (5) the following new paragraph:

“(6) amounts received pursuant to—

“(A) section 1201 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796); or

“(B) a program established under the laws of any State which provides monetary compensation for surviving dependents of a public safety officer who has died as the direct and proximate result of a personal injury sustained in the line of duty.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts received after the date of the enactment of this Act.

SA 3226. Ms. AYOTTE submitted an amendment intended to be proposed to